

Appl. No. 10/064,601
Amdt. dated February 23, 2005
Reply to Office action of January 27, 2005

REMARKS

The Examiner has indicated that the applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits from the following species
5 of the claimed invention:

Species I: Claims 1-11

Species II: Claims 12-18

10 **Response:**

The applicant hereby makes a provisional election of Species II for prosecution on the merits in response to the above election requirement. The claims readable on the elected Species II are claims 12-18.

15

However, applicant has amended claims 1, 2, and 3 in an attempt to traverse the restriction requirement. Claim 1 is amended such that the claimed method for controlling an optical disk drive cannot be practiced by another materially different apparatus. Claims 2 and 3 are amended to remove redundant limitations and to correct the antecedent basis
20 for the terms that have now been included in currently amended claim 1. No new matter is entered by the amendments to the claims. Consideration of the amendments and withdrawal of the restriction requirement is respectfully requested.

Appl. No. 10/064,601
Amtd. dated February 23, 2005
Reply to Office action of January 27, 2005

Sincerely yours,

Winston Hsu

Date: February 24, 2005

Winston Hsu, Patent Agent No. 41,526

5 P.O. BOX 506, Merrifield, VA 22116, U.S.A.

Voice Mail: 302-729-1562

Facsimile: 806-498-6673

e-mail : winstonhsu@naipo.com

- 10 Note: Please leave a message in my voice mail if you need to talk to me. The time in D.C. is 13 hours behind the Taiwan time, i.e. 9 AM in D.C. = 10 PM in Taiwan).